



RECEIVED
CENTRAL FAX CENTER

SEP 14 2004

Patent Technology Center 1700

Facsimile Transmission

To: Name:
 Company:
 Fax Number: 7038729306
 Voice Phone:

From: Name:
 Official Fax Number: (703) 872-9310
 Official After Final Fax Number: (703) 872-9311
 Voice Phone:

37 C.F.R. 1.6 sets forth the types of correspondence that can be communicated to the Patent and Trademark Office via facsimile transmissions. Applicants are advised to use the certificate of facsimile transmission procedures when submitting a reply to a non-final or final Office action by facsimile (37 CFR 1.8(a)).

Fax Notes:

Date and time of transmission: Tuesday, September 14, 2004 1:34:58 PM
Number of pages including this cover sheet: 14

RECEIVED
CENTRAL FAX CENTER

SEP 14 2004

CERTIFICATE OF
FACSIMILE
TRANSMISSION
Letter

Application Number	10/600,213
Filing Date	June 20, 2003
First Inventor	HAMMOND, John M.
Examiner Name	FORTUNA, Ana M.
Art Unit	1723
Docket Number	D/A1340

Faxed to Number (703) 872-9310

Total Pages: 13

DATE OF TRANSMISSION: September 14, 2004

TITLE OF CASE: Liquid Dispersion Filtration and Delivery Apparatus and Method

The following documents are enclosed:

Certificate of Facsimile Transmission (1 page)

Letter (2 pages)

Exhibits A - C (10 pages)

The above named documents are being facsimile transmitted to the United States Patent and Trademark office on the date indicated above.

John M. Hammond
4295 East Lake Road
Livonia, NY 14487
(585) 346-3783

Signature of Transmitter:


John M. Hammond

PLEASE NOTE: This facsimile message may contain information which is privileged, confidential, and exempt from disclosure under applicable laws and is intended only for the use of the individual named above and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please notify JOHN M. HAMMOND immediately by telephone at (585) 346-3783. You will be reimbursed for your telephone expense.

RECEIVED
CENTRAL FAX CENTER

SEP 14 2004

Appl. No. : 10/600,213
Applicant : HAMMOND, John M.
Filed: : June 20, 2003
TC/A.U. : 1723
Examiner : FORTUNA, Ana M.
Docket No. : D/A1340
Title : "LIQUID DISPERSION FILTRATION AND DELIVERY
APPARATUS AND METHOD"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Honorable Commissioner for Patents
P.O. Box 1450
Washington DC 22313-1450

LETTER BY APPLICANT

September 14, 2004

Sir:

This letter is in regard to the instant application 10/600,213 and the filing on August 26, 2004 of the "REQUEST FOR NON-ENTRY OF UNAUTHORIZED PAPERS AND CORRECTION OF POWER OF ATTORNEY AND CORRESPONDENCE ADDRESS" by Mr. Joel Armstrong, attorney for Xerox Corporation, a copy of which is enclosed and marked "Exhibit A." I take issue with a number of false representations made in such filing, as follows:

1. Xerox Corporation is not the owner of this patent application. I have not assigned my rights in this application to Xerox Corporation, and I am not obligated to do so. The record in the Patent Office does not indicate any assignment of my rights in this application to Xerox Corporation. The record shows that the interest of John M. Hammond in this application is owned entirely by John M. Hammond. Xerox Corporation is fully aware that an assignment of my rights to Xerox Corporation has not been executed. In fact, the Utility Patent Application Transmittal that Xerox filed with the filing of the application on June 20, 2003 indicates this. This Transmittal document with the Patent Office date stamp is attached as "Exhibit B."
2. The Declaration and Power of Attorney that I signed for this application was as a sole inventor, as I indicated in a letter of April 23, 2003 to Xerox Corporation, a copy of which is attached as Exhibit C (see also Exhibit B' of the Information Disclosure Statement filed April 19, 2004). The grant of a Power of Attorney to the Xerox attorneys was conditioned on my being named as sole inventor. This condition never occurred.
3. Xerox subsequently filed this application on June 20, 2003 naming joint inventors without my knowledge or consent. Xerox Corporation appended the Declaration that I signed as a sole inventor to the Declarations of alleged co-inventors Sanchez and Lincoln, and filed the application, representing that the claimed subject matter was a joint invention. Xerox Corporation and the attorneys Xerox Corporation has

appointed now have a conflict of interest in representing Xerox Corporation and representing me simultaneously. Xerox claims that there are three inventors on this application. This claim is adverse to my claim that I am sole inventor. Therefore the attorneys of Xerox Corporation have an ethical obligation to withdraw from representing me in this application.

4. I do not wish to have Xerox Corporation and the attorneys Xerox has appointed represent my interests in this application. I have not authorized Xerox Corporation to represent me as a joint inventor in this application. In the event that Xerox Corporation does not withdraw from representing me in this application, I reserve my right to file a Revocation of Power of Attorney accompanied by a Petition in accordance with 37 CFR 1.182.
5. Xerox indicates that the allegations that I have made regarding inventorship "are under investigation." I informed Xerox of my belief that I was sole inventor in this application in my aforementioned letter of April 23, 2003 to Xerox. The first communication that I received from Xerox Corporation that would indicate that any investigation regarding inventorship was underway was in an e-mail on May 4, 2004 from a Xerox employee and former colleague, Kenny Dinh, inquiring of me as to where I left my lab notebook when I ended my employment by Xerox Corporation. This was more than a year after my letter of April 23, 2003, more than ten months after Xerox filed the instant application on June 20, 2003 naming joint inventors, and approximately ten days after Xerox was provided a copy of the Information Disclosure Statement that I filed on April 19, 2004. It does not appear that any of the results of the alleged investigation have been brought to the attention of the Patent Office in spite of the mandate to do so under 37 CFR 1.56.

Respectfully submitted,



John M. Hammond

Applicant

4295 East Lake Road

Livonia, New York 14487

(585) 346-3783

CERTIFICATE OF MAILING UNDER 37 CFR 1.8:

I hereby certify that a copy of this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mr. Joel S. Armstrong, OLIFF & BERRIDGE PLC, P.O. Box 19928, Alexandria, Virginia 22320 on September 14, 2004.

